

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

GERALD Z. HAMMOND,

Plaintiff,

Case No. 3:20-cv-01369-YY

v.

OPINION AND ORDER

**IAN MILLER; LABOR WORKS;
PEOPLE READY; and ALL STAR
LABOR,**

Defendants.

MOSMAN, J.,

On March 10, 2021, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F. & R.”) [ECF 17]. In her F. & R., Judge You recommends that I dismiss this case without prejudice. No objections were filed. Upon review, I ADOPT Judge You’s F. & R. and DISMISS this case without prejudice.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

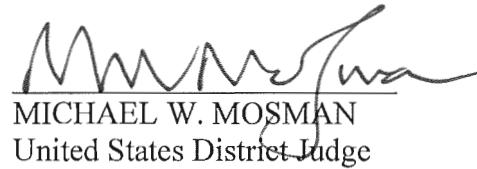
is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I ADOPT the F. & R. [ECF 17] as my own opinion. This case is DISMISSED without prejudice due to Plaintiff's failure to state a valid claim for relief. All other pending motions are DENIED as moot.

IT IS SO ORDERED.

DATED this 5th day of April, 2021.



MICHAEL W. MOSMAN
United States District Judge